

## PART THREE: ISL ANNEXES

### ISL ANNEX A - CODE OF ETHICS FOR LABORATORIES and WADA-APPROVED LABORATORIES FOR THE ABP

#### 1.0 Confidentiality

Directors of Laboratories and WADA-Approved Laboratories for the ABP, their delegates and all Laboratory staff shall respect and comply with *Code Art. 14.3.5*.

#### 2.0 Research in Support of *Doping Control*

Laboratories shall participate in research programs, provided that the Laboratory Director is satisfied with their *bona fide* nature <sup>74</sup> and the program(s) have received proper ethical approval, if applicable.

The Laboratories are expected to develop a research and development program to support the scientific foundation of *Doping Control*. This research may consist of the development of new methods or technologies, the pharmacological characterization of a new doping agent, the characterization of a masking agent or method, and other topics relevant to the field of *Doping Control*.

##### 2.1 Research on Human Subjects

The Laboratories and WADA-Approved Laboratories for the ABP shall follow the Helsinki Accords and any applicable national standards as they relate to the involvement of human subjects in research. Voluntary informed consent shall also be obtained from human subjects in any drug administration studies for the purpose of development of a Reference Collection or proficiency testing materials.

##### 2.2 Controlled Substances

The Laboratories are expected to comply with the relevant and applicable national laws regarding the handling, storage and discarding of controlled (illegal) substances.

#### 3.0 Analysis

##### 3.1 Analytical Testing for Anti-Doping Organizations

The Laboratories and WADA-Approved Laboratories for the ABP shall accept *Samples* for Analytical Testing only if all of the following conditions have been met:

- The *Sample* matrix is of the proper type (e.g. blood, urine) for the requested analyses;
- The *Samples* have been collected, sealed and transported to the Laboratory or WADA-Approved Laboratory for the ABP in accordance with the ISTI;
- The collection is a part of an anti-doping program; and
- The Testing Authority is a *Code-compliant Anti-Doping Organization*.

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<sup>74</sup> The Laboratory shall not engage in any research activity that undermines or is detrimental to the World Anti-doping Program.

### 3.2 Clinical or Forensic Analysis

3.2.1 Occasionally the Laboratory may be requested to analyze a sample for a banned drug or endogenous substance coming from a hospitalized or ill *Person* in order to assist a physician in the diagnostic process. In such circumstances, the Laboratory Director shall agree to analyze the sample only if the organization making the request provides a letter explaining the medical reason for the test and explicitly certifying that the sample is for medical diagnostic or therapeutic purposes.

3.2.2 Work to aid in forensic and/or legal investigations may be undertaken but due diligence should be exercised to ensure that the work is requested by an appropriate agency or organization. The Laboratory should not engage in analytical activities or expert testimony that would intentionally question the integrity of an individual or the scientific validity of work performed in the anti-doping program

### 3.3 Other Analytical Activities

3.3.1 The Laboratory or WADA-Approved Laboratory for the ABP shall not engage in any analysis or activity that undermines or is detrimental to the World Anti-doping Program <sup>75</sup>.

3.3.2 Laboratories and WADA-Approved Laboratories for the ABP shall not accept *Samples* from individual *Athletes* on a private basis or from individuals or organizations acting on their behalf.

3.3.3 If the Laboratory or WADA-Approved Laboratory for the ABP accepts *Samples* from any entity that is not a *Code-compliant Anti-Doping Organization*, it is the responsibility of the Director of the Laboratory or WADA-Approved Laboratory for the ABP to receive assurance, in writing, that any *Adverse Analytical Finding* or *Adverse Passport Finding* will follow an appropriate results management process and that the results cannot be used in any way by an *Athlete* or associated *Person* to avoid the detection of doping.

3.3.4 The Laboratory or WADA-Approved Laboratory for the ABP shall not provide analytical services in a *Doping Control* adjudication, unless specifically requested by the responsible Testing Authority, *WADA* or a Hearing Body.

3.3.5 The Laboratory shall not engage in analyzing commercial material or preparations (e.g. dietary or herbal supplements) unless specifically requested by an *Anti-Doping Organization* or *WADA* as part of a research program or results management process.

3.3.6 If a request pursuant to Art. 3.3.5 is made by an *Athlete*, the Laboratory may conduct the analysis if agreed by the *Anti-Doping Organization* or *WADA*, which may also specify conditions that must be followed prior to or during the analysis (e.g. verification of original sealed packages). The Laboratory shall not provide results, documentation or advice that, in any way, could be used as an endorsement of products or services.

Analytical activities performed under Arts. 3.2 and 3.3 above will not fall under the *WADA* accredited or approved status of the laboratory. A Laboratory or WADA-Approved Laboratory for the ABP shall only

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<sup>75</sup> The World Anti-Doping Program comprises the anti-doping programs of *WADA* and all *Code Signatories*, including International Federations, *National Anti-Doping Organizations*, *Regional Anti-Doping Organizations*, *Major Event Organizations*, the International Olympic Committee (IOC) or the International Paralympic Committee (IPC).

refer to its *WADA* accreditation or approval status, respectively, for an activity that falls under Analytical Testing for *Code-compliant Anti-Doping Organizations*.

### 3.4 Sharing of Knowledge

3.4.1 When information on new doping substance(s), method(s), or practice(s) is known to the Laboratory, such information shall be shared with *WADA* within sixty (60) calendar days <sup>76</sup>. When possible, the Laboratories shall share information with *WADA* regarding the detection of potentially new or rarely detected doping agents as soon as possible. Immediately after having been notified of the *Use* of a new substance or method as a doping agent, *WADA* will inform all Laboratories.

3.4.2 The Laboratory Director or staff shall participate in developing standards for best practice and enhancing uniformity of Analytical Testing in the *WADA* accredited laboratory system.

## 4.0 Duty to Preserve the Integrity of the World Anti-Doping Program and to Avoid any Detrimental Conduct

4.1 The personnel of Laboratories and WADA-Approved Laboratories for the ABP shall not engage in conduct or activities that undermine or are detrimental to the World Anti-doping Program. Such conduct could include, but is not limited to, fraud, embezzlement, perjury, etc. that would cast doubt on the integrity of the anti-doping program.

4.2 All employees of Laboratories and WADA-Approved Laboratories for the ABP shall strictly respect the confidentiality of Analytical Testing results, as well as of all other Laboratory or Testing Authority information, including information provided by *WADA* under confidentiality.

4.3 No employee or consultant of Laboratories and WADA-Approved Laboratories for the ABP shall provide counsel, advice or information to *Athletes* or others regarding techniques or methods used to mask or avoid detection of, alter metabolism of, or suppress excretion of a *Prohibited Substance* or its *Metabolite(s)*, or *Marker(s)* of a *Prohibited Substance* or *Prohibited Method* in order to avoid an *Adverse Analytical Finding*.

4.4 No employee or consultant of Laboratories and WADA-Approved Laboratories for the ABP shall provide information about a Test Method to an *Athlete* or *Athlete Support Personnel*, which could be used to avoid the detection of doping.

4.5 No staff of Laboratories and WADA-Approved Laboratories for the ABP shall assist an *Athlete* in avoiding collection of a representative *Sample* (e.g. advice on masking strategies or detection windows).

[Comment: Arts. 4.3 – 4.5 do not prohibit the publication and/or presentation of scientific research results, general presentations to educate *Athletes*, students, or others concerning anti-doping programs and *Prohibited Substances* or *Prohibited Methods*.]

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<sup>76</sup> Sharing of knowledge can occur in various ways, including but not limited to directly communicating with *WADA*, participating in scientific meetings, publishing results of research, sharing of specific details of Analytical Methods, working with *WADA* to produce and/or distribute new Reference Material(s) or Reference Collection(s) or disseminating information regarding the chromatographic behaviour and mass spectra of the Analytes.

4.6 If a staff member of a Laboratory or WADA-Approved Laboratory for the ABP is requested to provide evidence in anti-doping proceedings, they are expected to provide independent, scientifically-valid expert testimony.

4.7 The Laboratory or WADA-Approved Laboratory for the ABP shall not issue any statements related to the Laboratory analytical processes or findings, unless otherwise provided in *Code Art. 14.3.5*. The responsibility for evaluation of these findings with further action and publication, if considered necessary, shall be the sole responsibility of the responsible *Anti-Doping Organization(s)* or *WADA*.

## 5.0 Breach and Enforceability

A failure to respect any of the provisions of this Code of Ethics may result in the Laboratory or WADA-Approved Laboratory for the ABP being subject to Disciplinary Proceedings instituted by *WADA* to either suspend or revoke its *WADA* accreditation or its *WADA* approval, as applicable, in accordance with ISL Art. 4.6.4.5.

In addition, a failure to respect any of the provisions of this Code of Ethics may result in staff of the Laboratory or WADA-Approved Laboratory for the ABP being subject to disciplinary action by the Laboratory or WADA-Approved Laboratory for the ABP, respectively, resulting in consequences beyond those stipulated under the ISL, including potential termination of employment or, where applicable, the imposition of criminal charges.